

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is original.

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled,

BIOLOGICAL APPLICATIONS OF QUANTUM DOTS

the specification of which:

XXX is attached hereto.
 was filed on as Application
Serial No. or Express Mail No., *as Serial No. not*
yet known and was amended on (I hereby authorize Choate,
Hall and Stewart to complete as necessary)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Sam Pasternack, Reg. No. 29,576; Mary Rose Scozzafava, Reg. No. 36,268; Beth R. Jimenez, Reg. No. 37,219; Brenda H. Jarrell, Reg. No. 39,223; and David J. Powsner, Reg. No. 31,868; Paul A. Pysher, Reg No. 40,780 and Kevin M. Tormey, Reg No. 41,351.

Address all telephone calls to Mary Rose Scozzafava at (617) 248-5000.

Address all correspondence to Mary Rose Scozzafava at Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, MA 02109.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

09160454-092498

Full name of first inventor Moungi G. Bawendi
Inventor's signature _____ Date: _____
Residence: 285 Beacon Street, Apt. 2B, Boston, MA 02116
Citizenship: United States of America
Post Office Address: Same

Full name of second inventor Frederick V. Mikulec
Inventor's signature _____ Date: _____
Residence: 96 Willow Avenue, Apt. 2, Somerville, Massachusetts 02144
Citizenship: United States of America
Post Office Address: _____

Full name of third inventor Vikram C. Sundar
Inventor's signature _____ Date: _____
Residence: 49 Gorham Street, Somerville, MA 02144
Citizenship: United States of America
Post Office Address: _____

DS1.435256

864260-15409760

ASSIGNMENT

WHEREAS, We, **Moungi G. Bawendi** of Boston, Massachusetts; **Frederick V. Mikulec** of Somerville, Massachusetts; and **Vikram C. Sundar** of Somerville, Massachusetts having invented a certain improvement in a **BIOLOGICAL APPLICATIONS OF QUANTUM DOTS** for which We have made application for a United States Patent, the said application filed on September 24, 1998;

WHEREAS, Massachusetts Institute of Technology a non-profit educational institution having offices at 77 Massachusetts Avenue, Cambridge, MA 02142 and its successors and assigns (collectively hereinafter called "the Assignee"), is desirous of acquiring my entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledge, I do hereby sell assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive right, title and interest in and to said invention and in and to said Applications and all patents which may granted therefore, and all divisions, reissues, substitutions, continuations, continuations-in-part and extensions thereof; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as my interest is concerned, to the said ASSIGNEE of my entire right, title and interest.

I also hereby sell and assign to said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive rights, title and interest to the invention disclosed in said Applications throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world, including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention, and all rights to register said invention in appropriate registries; and I further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such rights, title and interest in ASSIGNEE, its successors, assigns and legal representatives.

I hereby further agree that I will communicate to said ASSIGNEE, or to its successors, assigns and legal representative, any facts known to me respecting any improvements; and, at the expense of said ASSIGNEE, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make all lawful oaths, and generally do everything possible to vest title in said ASSIGNEE and to aid said ASSIGNEE, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

IN WITNESS WHEREOF, I hereto set my hand and seal at _____,
_____ this _____ day of _____, 1998.

Moungi G. Bawendi

STATE OF _____.
SS.
COUNTY OF _____.

Before me this _____ day of _____, 1998, personally appeared
Moungi G. Bawendi known to me to be the person whose name of subscribed to the
foregoing Assignment and acknowledged that he executed the same as his free act and
deed for the purposes therein contained.

.....
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

IN WITNESS WHEREOF, I hereto set my hand and seal at _____,
_____ this _____ day of _____, 1998.

Frederick V. Mikulec

STATE OF _____.
SS.
COUNTY OF _____.

Before me this _____ day of _____, 1998, personally appeared
Frederick V. Mikulec known to me to be the person whose name of subscribed to the
foregoing Assignment and acknowledged that he executed the same as his free act and
deed for the purposes therein contained.

.....
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

IN WITNESS WHEREOF, I hereto set my hand and seal at _____,
_____ this _____ day of _____, 1998.

Vikram C. Sundar

STATE OF _____.
SS.

COUNTY OF _____.

Before me this _____ day of _____, 1998, personally appeared
Vikram C. Sundar known to me to be the person whose name of subscribed to the
foregoing Assignment and acknowledged that he executed the same as his free act and
deed for the purposes therein contained.

.....
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires: